

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KELLY KOERNER,
 #23196

Plaintiff,

vs.

JAMES GREG COX, *et al.*,
 Defendants.

3:11-cv-00116-LRH-VPC

ORDER

This is a prisoner civil rights action. On April 25, 2011 the court issued a Screening Order that allowed certain claims to proceed (docket #12). Before the court is plaintiff's motion for summary judgment (docket #9).

On February 28, 2011, prior to this court's screening of the complaint, plaintiff filed this motion for summary judgment (docket #9). Defendants have not yet filed a response to plaintiff's complaint. Accordingly, plaintiff's motion for summary judgment is denied without prejudice as premature and with leave to renew if necessary.

Also before the court is plaintiff's renewed motion for order for plaintiff to view evidentiary videotape (docket #11). This case has not yet proceeded to the discovery phase and, as such, this motion is premature. Accordingly, this motion is also denied without prejudice and with leave to renew if necessary.

IT IS THEREFORE ORDERED that plaintiff's motion for summary judgment (docket #9) is **DENIED without prejudice**.

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1 **IT IS FURTHER ORDERED** that plaintiff's renewed motion for order for plaintiff to view
2 evidentiary videotape (docket #11) is **DENIED without prejudice**.

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4 DATED this 30th day of June, 2011.

A handwritten signature in blue ink, appearing to read "L. Hicks", is positioned above the printed name of the judge.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE